

DDW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

Applicant: KRUEGER ET AL. Examiner: D. ISABELLA  
Serial No.: 10/665,941 Group Art Unit: 3738  
Filed: SEPTEMBER 19, 2003 Docket: 13033.10US01  
Confirmation No.: 6541  
Due Date: n/a  
Title: AIRWAY IMPLANT AND DELIVERY TOOL AND KIT

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on October 9, 2006.

By: *Mona Steel*  
Name:

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

23552  
PATENT TRADEMARK OFFICE

Sir:

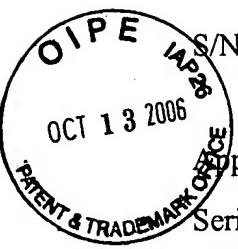
We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Supplemental Information Disclosure Statement, Form 1449, 2 Reference(s)
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

By: *T. Conrad*  
Name: Timothy R. Conrad  
Reg. No.: 30,164  
TConrad:mls



S/N 10/665,941

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KRUEGER ET AL. Examiner: D. ISABELLA  
Serial No.: 10/665,941 Group Art Unit: 3738  
Filed: SEPTEMBER 19, 2003 Docket No.: 13033.10US01  
Title: AIRWAY IMPLANT AND DELIVERY TOOL AND KIT

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on October 9, 2006.

By: Mona Steel  
Name:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**23552**  
PATENT TRADEMARK OFFICE

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked

as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: 10/5/06

  
\_\_\_\_\_  
Timothy R. Conrad  
Reg. No. 30,164  
TRC:mls

Date Mailed: October 9, 2006

Sheet 1 of 1

<p style="text-align: center;"><b>FORM 140*</b>  <b>OCT 13 2006</b>  <b>140-28</b>  <b>PATENT</b></p> <p style="text-align: center;"><b>INFORMATION DISCLOSURE STATEMENT</b></p> <p style="text-align: center;"><b>IN AN APPLICATION</b></p> <p style="text-align: center;">(Use several sheets if necessary)</p>	Docket Number:	Application Number:
	13033.10US01	10/665,941
	Applicant: KRUEGER ET AL.	
	Filing Date: 09/19/2003	Group Art Unit: 3738

## **U.S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 2005/082452 A1	09/25/2005	PCT				
	WO 2006/072571 A1	07/13/2006	PCT				

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)


23552

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.